

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue Department – Allegation of Corruption against Sri Y.Gangulu, former Tahsildar, Badvel of Y.S.R. District (now Retired) – Departmental Proceedings conducted under Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 – Charges held proved – Imposition of 10% cut in pension for a period of two years – Orders – Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 1203

Dated:13.08.2012.

Read the following:-

- 1) From the District Collector, Y.S.R. District Lr.Ref.No.A1/3789/2008, dt.27.11.2010.
- 2) Government Memo.No.56187/Vig.II(2)/2010-1, dt.23.12.2010.
- 3) Explanation of Sri Y.Gangulu, former Tahsildar (now retired) dt.01.02.2011.
- 4) Government Memo.No.56187/Vig.II(2)/2010-2, dt.15.03.2011.
- 5) Representation of Sri Y.Gangulu, former Tahsildar (now retired), dt.17.06.2011.
- 6) Government Memo.No.56187/Vig.II(2)/2010-3, dt.29.07.2011.
- 7) From the Collector, Y.S.R.District, Kadapa, Ref.A1/3789/2008, dated 19.04.2012.
- 8) Government Letter No.56187/Vig.II(2)/2010-1, Dated:11.05.2012.
- 9) From the Secretary, A.P.P.S.C., Hyderabad, Lr.No.1137/RT/3/2012, dt.19.06.2012.

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ORDER:

In the reference 1st read above, It has been brought to the notice of the Government that Sri Y.Gangulu, while working as Tahsildar, Badvel Mandal, Y.S.R. District had committed certain irregularities in issuing House Site Pattas to 331 ineligible beneficiaries in Badvel Municipal Area and assignment of agricultural land to an extent of 22.92 acres was made to 16 ineligible beneficiaries in Chennampalli Village of Badvel Mandal without following the guidelines and norms prescribed by the Government. On the above said irregularities, the District Collector, Y.S.R. District had initiated disciplinary action by framing charges against Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District vide his proceeding dt.27.9.2008. The charged officer had submitted his explanation on 16.10.2008 denying the charges. Since, the charged officer denied the charges, the Revenue Divisional Officer, Rajampet was appointed as Inquiry Authority for conducting enquiry on the charges framed against Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District vide the Collector's proceeding dated 21.11.2008. The Inquiry Authority & Revenue Divisional Officer, Rajampet, after conducting enquiry, has submitted enquiry report stating that the Charge-I is proved and charge-II is partly proved. In the meantime, the charged officer has retired from service on 31.7.2010. The District Collector, Y.S.R. District has furnished proposals along with the enquiry report submitted by the Revenue Divisional Officer, Rajampet to Government for taking necessary action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

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2. In the reference 2nd read above, a copy of the Enquiry Report was communicated to the charged officer to submit his representation on the findings of the enquiry officer under Rule 21 of A.P. Civil Services (CCA) Rules, 1991. The Charged Officer has submitted his representation dated 01.02.2011 stating that based on the recommendations and proposals submitted by the field staff and after following the due procedure, he has granted house site pattas to eligible persons who were houseless people and come under B.P.L. category. Further, all these families were displaced due to submergence of their village in Somasila Project and some of them could not produce the certificates before the teams constituted by the Joint Collector for conducting enquiry. He has further stated that without any publicity the teams conducted enquiry within one day and at the time of visiting the teams some of the families were shifted to the midst of the town for their livelihood and some of them were living in another house. Hence, they could not produce the certificates. But, the Inquiry Authority admitted the fact of grant of house-sites to displaced persons and felt that a thorough verification would prove the eligibility of the grantees and it is unfair to hold the charges as proved. Hence, he has requested to drop the charges framed against him.

3. Government, after examining the representation of Sri Y.Gangulu, former Tahsildar (Now retired) have decided to impose a punishment of 10% cut in pension for a period of (2) years. Accordingly, in the reference 4th read above, a show cause notice issued to Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District (now retired) directing to submit his representation as to why the above proposed punishment should not be imposed against him within 15 days from the date of receipt of the Memo failing which it will be construed that he has no representation to offer and further action will be taken based on the material available.

4. In the reference 5th read above, Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District (now retired) has submitted representation stating that before granting house site pattas, a thorough enquiry was conducted by the field staff and it took months for them to conduct enquiries and verification and to prepare the beneficiaries list. Whereas, the enquiry teams constituted by the Revenue Divisional Officer completed their enquiry within hours in one day. During their visit, some of the families were shifted to midst of town for their livelihood, some of them were living in other houses in the same locality and some of them could not produce the 'displaced persons' certificates. Further, the teams conducted and completed the enquiry in one day without giving wide publicity, thereby most of the beneficiaries did not even know that an enquiry was conducted. The teams made no efforts to elicit the truth. Mere fact of their non-availability at the time of enquiry and non-production of displaced certificates would not make them ineligible. The Inquiring Authority himself admitted the fact of grant of houses to displaced persons and felt that a thorough verification would prove the eligibility of the grantees. It is therefore, unfair to hold the charge as proved without getting a thorough enquiry and without canceling the pattas granted to ineligible persons, if any. Unless a thorough enquiry is conducted and the pattas granted to ineligible persons (if any) are cancelled, the conclusion that the pattas were granted to ineligible persons would be a premature conclusion, and it is not just and fair to penalize him on a premature conclusion. He has therefore requested the Government to drop the charges framed against him.

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5. Government, after careful examination of the entire matter, have observed that the explanation of Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District (now retired) is similar to that of his earlier explanation and it is not convincing and in the enquiry it was established that house site pattas were given irregularly to ineligible persons i.e., as many as 173 house site pattas were given to non residents (where about not known) and 103 persons already owning house sites. Hence, Government have in consultation with Andhra Pradesh Public Service Commission decided to impose a punishment of 10% cut in pension for a period of two (2) years against Sri Y.Gangulu, former Tahsildar, Badvel Mandal, Y.S.R. District (now retired) after due consultation with the Andhra Pradesh Public Service Commission. Accordingly, Government hereby impose a punishment of 10% cut in pension for a period of two (2) years on Sri Y.Gangulu, Tahsildar (Retired).

6. The Chief Commissioner of Land Administration, Hyderabad is directed to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Y.Gangulu, former Tahsildar, Badvel Mandal,
Y.S.R. District (now retired) **through**
the Special Chief Secretary & the Chief Commissioner of
Land Administration, Hyderabad. (with a copy of the advice
of the Andhra Pradesh Public Service Commission).

The Special Chief Secretary &
the Chief Commissioner of Land Administration,
Hyderabad.

Copy to:

The Collector, Y.S.R. District.
The District Treasury Officer, Y.S.R District.
The Accountant General, A.P., Hyderabad.
The Secretary, A.P. Public Service Commission,
Hyderabad.
S.c./ S.f.

// FORWARDED :: BY ORDER //

SECTION OFFICER